THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.11375 OF 2006

Dated 12-12-2007

Between:
Banavathula Lakshmi …Petitioner

And

The Principal District & Sessions Judge
Krishna District at Machilipatnam and
Seven others …Respondents

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.11375 OF 2006

O R D E R (Per Hon'ble Sri Bilal Nazki, the Acting Chief Justice):

This case is pending in this Court from 2006 and involves questions regarding liberty of persons facing criminal charges, who have been admitted to bail by the Courts but are not able to secure liberty because of their inability to produce sureties before the Courts. Certain directions have already been given by this Court by order dated 30-07-2007.

After hearing learned counsel for the parties, we feel that this writ petition can be disposed of with a further direction that wherever an accused has been granted bail and he is not able to produce surety before the Court, his case should be taken up by the Magistrate/Sessions Judge concerned immediately for trial and the trial should be continued on day-to-day basis. If for any reason the trial is not taken up on day-to-day basis, the Magistrate/Sessions Judge concerned shall record the reasons, in the docket proceedings, for not doing so. The Government is also expected to issue a Circular to all the investigating Officers to produce the witnesses in such cases without fail on day-to-day basis before the Courts concerned. The Jail Authorities shall furnish the list of the undertrial prisoners in their jails

to the Magistrates/Sessions Judges concerned, before whom the undertrial prisoners are facing trial, within one month.

The Registrar (General) of this Court is also directed to issue directions inconformity with the order of this Court dated 30-07-2007 and today's order to all the learned Magistrates and the learned Sessions Judges in the State.

The writ petition is accordingly disposed of.

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Bilal Nazki, ACJ

Dated 12th December, 2007

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Ramesh Ranganathan,J

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Note: Issue C.C within one week.